

A. Claim 1

Claim 1 recites, “a clamber for pressing and fastening said sheet on a flat parting surface of said female mold” and “said clamber is formed in such a shape that, when said pushing frame is in abutment with said flat parting surface of said female mold, there is established a space between said connecting member and said flat parting surface in which said clamping devices can pass through.”

Atake discloses a foil-decorating injection molding apparatus including a male mold 25, a female mold 12, a transport chuck 5 including clamping devices 60 and a clamber 20. The Examiner refers to Figure 5 of Atake and again maintains that the space formed by recess 21 of the clamber 20 discloses the claimed space (see annotated Fig. 5 on pg. 5 of present Office Action).

In the September 30, 2010 Amendment, Applicant argued that the claimed space is formed between the connecting member of the clamber and the parting surface of the female mold. On page 4 of the Office Action, the Examiner maintains that the parts around the rectangular frame of the clamber 20 of Atake form the claimed connecting member. As shown in Figure 2 of Atake, the clamber 20 has a rectangular frame and includes extensions that extend from the rectangular frame that connect to the driving rods (i.e., means of driving the pushing frame). Also shown in Figure 2 is that the extensions extending from the rectangular frame of the clamber 20 are set off to the side of the guide groove 36 of the female mold 12. Returning to Figure 5 of the reference, the alleged space of Atake, which comprises the recess 21, is provided in a position that opposes the guide groove 36. Thus, Applicant argued that the Examiner’s

alleged space (i.e., recess 21) is not provided in the position as claimed (see September 30, 2010 Amendment). In other words, the space is not provided in between the extensions extending from the rectangular frame of the clamper 20 and the parting surface of the female mold 12. Rather, the recess 21 appears to follow along the outwardly curved section of the rectangular frame of the clamper 20 in a manner that it opposes the guide groove 36.

Additionally, in the September 30, 2010 Amendment, Applicant noted that in Figure 5 of Atake, a small space is formed between the female mold 12 and the clamper 20 at a position provided to the left of the recess 21. Although unclear, it is possible that at least some of the portion to the left of the recess 21 is provided along the alleged connecting member portion of the clamper 20. Nevertheless, Applicant argued that such space does not establish any room for the clamping device 60 to pass therethrough, and therefore fails to disclose the claimed space.

In the present Office Action, the Examiner responds to the above arguments by maintaining that claim 1 does not clearly define the connecting member as extending off from a rectangular frame, such that the entire clamper 20 of Atake can be considered part of a “connecting member” (pgs. 8 and 9 of Office Action). Accordingly, the Examiner maintains that contrary to the assertions of Applicant, the connecting member and the parting surface of Atake form a space which allows a clamping device to pass therethrough. Applicant traverses the Examiner’s assertion for the reasons set forth above.

Furthermore, on page 9 of the Office Action, the Examiner states that even if Atake does not teach a space, the newly cited Yamazaki reference does. The Examiner’s specific rejection with regard to Yamazaki is set forth on page 6 of the Office Action. Yamazaki is directed toward clamping a painting film onto a mold. The Examiner refers to Figure 4 of the reference.

Applicant traverses the Examiner's assertion. Yamazaki does not mention the transfer direction of the painting film 2 (or decorative sheet), and it is unclear, in Figure 3, whether the film comes in and out in an up-and-down direction or in a perpendicular direction. Thus, Yamazaki does not anticipate clamping devices, by which both side edges of the film, passing through the space between the connecting member 30A and the parting surface 13.

Furthermore, paragraph [0018] of Yamazaki, as translated, is as follows:

Each clamp member piece 30 is composed in a manner that it is moved independently to clamp the painting film 2 onto the surface of the metallic mold All and is combined with others to form a clamping frame member of the four clamp members fixed. A combined portion of clamp member pieces may have a gap. However, this gap must not be the one which loses sealing nature between the painting film 2 and the parting surface 13.

As is clear from the above paragraph, the gap in Yamazaki maintains the sealing nature between the painting film 2 and the parting surface 13. Thus, the gap fails to disclose the space between the connecting member and the parting surface of the present invention, nor does the gap anticipate such a space.

At least based on the foregoing, Applicant submits that claim 1 is patentable over the cited references.

B. Claims 2-4

Applicant submits that claims 2-4 are patentable at least by virtue of their dependency.

C. Claims 5 and 6

Since claims 5 and 6 contain features that are analogous to the features discussed above regarding claim 1, Applicant submits that claims 5 and 6 are patentable for at least analogous reasons as claim 1.

II. Conclusion

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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